

United States District Court

**EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

ALCATEL USA, INC. ET AL.

§

§

V.

§

CASE NO. 4:06CV275

(Judge Schneider/Judge Bush)

PROTOSTAR WIRELESS
SOLUTIONS, INC.

§

§

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On April 19, 2007, the Report of the Magistrate Judge was entered containing his proposed findings of fact and recommendation that Alcatel be awarded the sum of \$3,425,070 as damages in this case, Alcatel is entitled to reasonable and necessary attorneys fees' as well as costs in the sum of \$151,738, and although Alcatel made no claim for prejudgment interest, Alcatel is entitled to post judgment interest on all sums awarded in the amount of 4.97% per annum.

The Court, having heard no objections raised or timely filed, is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore,

ORDERED, ADJUDGED and DECREED that Alcatel be awarded the sum of \$3,425,070 as damages in this case, attorneys fees' and costs in the sum of \$151,738, and post judgment interest on all sums awarded in the amount of 4.97% per annum.

SIGNED this 14th day of May, 2007.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE